

**STATE PERSONNEL BOARD, STATE OF COLORADO**

Case No. 2003B127

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**ORDER OF THE STATE PERSONNEL BOARD GRANTING PETITION FOR HEARING**

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DAVID TEIGEN,

Complainant,

vs.

DEPARTMENT OF CORRECTIONS, COLORADO TERRITORIAL CORRECTIONAL FACILITY,

Respondent.

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This matter is before the Colorado State Personnel Board ("Board") at its regularly scheduled public session held on May 18, 2004. The Board reviewed the Preliminary Recommendation of the Administrative Law Judge in this matter, and based on such review, and being advised in premises,

IT IS HEREBY ORDERED that the Preliminary Recommendation of the Administrative Law Judge be adopted and the petition for hearing be GRANTED on the issue of whether the Department of Corrections' actions relating to Complainant's retention rights and the subsequent changes in his position were arbitrary or capricious.

Dated this \_\_\_\_\_ day of  
June, 2004.

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Joyce Lottner  
Board Chair  
State Personnel Board  
1120 Lincoln Street, Suite 1420  
Denver, Colorado 80203

### **CERTIFICATE OF MAILING**

This is to certify that on the \_\_\_\_\_ day of June, 2004, I placed true copies of the foregoing **ORDER OF THE STATE PERSONNEL BOARD GRANTING PETITION FOR HEARING** in the United States mail, postage prepaid, addressed as follows:

William S. Finger  
Mark Gerganoff  
Frank & Finger, P.C.  
29025-D Upper Bear Creek Road  
P.O. Box 1477  
Evergreen, Colorado 80437-1477

And by interagency mail to:

Melanie Sedlak  
Assistant Attorney General  
Employment Section  
1525 Sherman Street, 7<sup>th</sup> Floor  
Denver, Colorado 80203

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